

**EX PARTE MOTION FOR DEFAULT JUDGMENT; DECLARATION;  
EXHIBIT(S) 1 THROUGH \_\_\_\_; AFFIDAVIT OF COUNSEL  
RE: ATTORNEY'S FEES; ORDER GRANTING EX PARTE  
MOTION FOR DEFAULT JUDGMENT**

<b>IN THE DISTRICT COURT OF THE SECOND CIRCUIT</b> <b>_____ DIVISION</b> <b>STATE OF HAWAI'I</b>	
Plaintiff(s)	Reserved for Court Use
	Civil No.
Defendant(s)	Filing Party(ies)/Filing Party(ies)' Attorney (Name, Attorney Number, Firm Name (if applicable), Address, Telephone and Facsimile Numbers)
Against Defendant(s):	

**EX PARTE MOTION FOR DEFAULT JUDGMENT**

Plaintiff(s) moves for an Order Granting Default Judgment against Defendant(s) on the grounds that Defendant(s) has failed to answer, appear or otherwise defend, and the time to otherwise move or plead has expired and has not been extended in this action.

This motion is made pursuant to District Court Rules of Civil Procedure, Rule 55(b)(2), and is based upon the attached Declaration(s), Exhibit(s) 1 through \_\_\_\_\_, and records and files herein.

Date:	Signature of Filing Party(ies)/Filing Party(ies)' Attorney: Print/Type Name:
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**DECLARATION**

I have read this Motion, know the contents and verify that the statements are true to my personal knowledge and belief. **I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF HAWAI'I THAT THE FOLLOWING IS TRUE AND CORRECT:**

1. I am the ☐ Plaintiff or ☐ associated with Plaintiff(s) as \_\_\_\_\_ and submit this based upon personal knowledge and information from business records maintained in the ordinary course of business and from entries made therein at or near the time of the events so recorded.
2. The following are facts why the Motion should be granted (attach continuation sheet if necessary).
3. Attached hereto as Exhibits 1 through \_\_\_\_\_ are true and correct copies of the documents in support of Plaintiff(s)' claims for judgment against Defendant(s) as named.
4. Based upon your Declarant's experience as \_\_\_\_\_, the amount of damages sustained by Plaintiff(s) is fair and reasonable.
5. Plaintiff(s) has incurred additional costs of \$ \_\_\_\_\_ for \_\_\_\_\_.
6. Defendant(s) is not an infant or incompetent person; default of Defendant(s) has been entered by the Court for failure to appear for Answer or to otherwise defend; Defendant(s) is not in the military service of the United States as defined by the Soldier's and Sailor's Civil Relief Act of 1940 or any amendments thereto; the amount due is justly due and owing and no part thereof has been paid; and the disbursements sought to be taxed have been made or incurred thereon.

Date:	Signature of Declarant: Print/Type Name:
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**ORDER GRANTING EX PARTE  
MOTION FOR DEFAULT JUDGMENT**

The Court having reviewed and considered the Ex Parte Motion for Default Judgment, the pleadings filed and the evidence presented, and being satisfied that the material allegations of the Complaint, together with damages, have been proven, now, therefore,

**IT IS ORDERED, ADJUDGED AND DECREED**, that the Ex Parte Motion for Default Judgment be and the same is granted. Default Judgment in favor of Plaintiff(s) and against Defendant(s) shall enter as follows:

Principal Amount . . . . .	\$ _____
Interest . . . . .	\$ _____
Attorney's Fees . . . . .	\$ _____
Costs of Court . . . . .	\$ _____
Sheriff's Fees . . . . .	\$ _____
Sheriff's Mileage . . . . .	\$ _____
Other Costs . . . . .	\$ _____
 Total Default Judgment Amount . . . . .	 \$ =====

Date:

Judge of the above-entitled Court

In accordance with the **Americans with Disabilities Act** if you require an accommodation for your disability, please contact the District Court Administration Office at PHONE NO. 244-2852, FAX 244-2849, or TTY 244-2865 at least ten (10) working days in advance of your hearing or appointment date.

Default Entered Against the Above-named Defendant(s)  
on \_\_\_\_\_  
  
\_\_\_\_\_  
Clerk, District Court of the Above Circuit, State of Hawai'i

I certify that this is a full, true and correct  
copy of the original on file in this office.

\_\_\_\_\_  
Clerk, District Court of the Above Circuit, State of Hawai'i